



STATE OF MICHIGAN

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GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
DAVID C. HOLLISTER
DIRECTOR

Michigan Occupational
Safety & Health Administration
(MIOSHA)

GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MEETING

November 9, 2005--9:30 A.M.

STATE SECONDARY COMPLEX, 7150 HARRIS DRIVE, LANSING
GENERAL OFFICE BUILDING, CONFERENCE ROOM B

MINUTES

MEMBERS PRESENT:

Mr. Thomas Pytlik, Chairperson
Dr. Tycho Fredericks
Mr. James Baker, Vice Chairperson
Mr. Michael Eckert

Mr. Timothy Koury
Mr. John Pettinga
Mr. George Reamer

MEMBERS ABSENT:

Ms. Geri Johnson

DEPARTMENT PERSONNEL PRESENT:

Mr. Doug Kalinowski, Director, MIOSHA
Mr. John Brennan, Director, General
Industry Safety & Health Division

Ms. Marsha Parrott-Boyle, Program Manager
Standards Section
Ms. Cindy Eicher, Standards Section

VISITORS ATTENDING:

Mr. Jim Fisk

MISSION STATEMENT

THE MISSION OF THE GENERAL INDUSTRY SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

OUR VISION IS TO BE A RECOGNIZED LEADER IN SAFETY FOR THE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.



MIOSHA

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Agenda Item #1--Call to Order and Roll Call

The November 9, 2005 General Industry Safety Standards Commission meeting was called to order by Chairperson Pytlik. A roll call was taken and a quorum was present.

Agenda Item #2--Approval of Minutes for August 10, 2005

A motion was made by Commissioner Reamer and was seconded by Commissioner Koury to approve the minutes of the August 10, 2005 Commission meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3--Standards Section Update—Marsha Parrott-Boyle

Ms. Marsha Parrott-Boyle advised that the Standards Section was full staffed as of the first of this week. The section has increased by one full-time position. She further advised that the Standards Section anticipates meeting its goals for the coming year.

Ms. Marsha Parrott-Boyle reviewed with the commissioners that the MIOSHA Strategic Goal for FY04-08 is to 'Reduce the backlog of standards to be revised by seventy percent (70%)'. She distributed a list of the 18 standards awaiting revisions. She also distributed a work sheet listing the standards currently awaiting revision and their order of priority. She advised that we are working on getting two advisory committees ready to start meeting sometime later this fiscal year.

Ms. Parrott-Boyle advised the commissioners that the ergonomics advisory committee has held 20 meetings and is doing an outstanding job, they are operating on a consensus ruling, not a majority ruling. She also advised that the commissioners can anticipate receiving an update from the Ergonomics Advisory Committee at their next meeting.

Ms. Parrott-Boyle advised that the Governor's Workplace Safety and Health Forum was held on November 3, 2005 at Macomb Community College. CEO's from a number of successful organizations gave presentations on how important safety in the workplace is and examples of how they succeed and the benefits of providing a safe environment. This includes increased productivity and a reduction of workers compensation costs and employee turnover. This forum was built towards the theme of "Manufacturing Matters."

Agenda Item #5--MIOSHA Update—Doug Kalinowski

Mr. Kalinowski also reviewed with the commissioners the current budget situation. MIOSHA budget has stayed very flat for the last 20 years. MIOSHA is both state and federally funded and has only received cost of living increases. Mr. Kalinowski stated there is talk of OSHA across the board cuts but we won't know until it happens. He indicated MIOSHA will get by but may not be able to replace equipment.

Mr. Kalinowski stated MIOSHA has been working to make employers realize that MIOSHA is not just enforcement. He stated MIOSHA also does training, consultation and forms Alliances and Partnerships with employers.

Mr. Kalinowski advised that MIOSHA would be temporarily moving out of the General Office Building while the space is being remodeled. We will be relocating to the Hollister Building which is located at the corner of Allegan and Washington. Commissioners will be notified if the meetings will be held in a different location.

Mr. Kalinowski informed the commission that we are still waiting to hear on commission reappointments for the General Industry Safety Standards Commission. The Occupational Health Commission recently received seven new appointments. Once the commission has received the new appointments, the

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division will hold an orientation for new commissioners. Mr. Kalinowski stated it would be helpful if some experience commissioners are able to participate and to be involved in this orientation

Mr. Kalinowski reviewed with the commissioners some of the activities the Agency has done this year including:

Make a Difference Week – This took place during the week of September 12, 2005. During this week the Consultation, Education and Training Division distributed packages titled “MIOSHA Safety & Health Tool Box.” This package contained a module for each day of the week. This also contained two CD’s for use by employers, including an OSHA walkthrough for manufacturers.

Take a Stand Day – This was held on August 25, 2005 and MIOSHA had over 125 staff members actively participating by going to employers and conducting consultation services, this was a free service and no citations were issued. The Agency has received very positive feedback from this event.

Governor’s Workplace Safety and Health Forum – This event took place on November 3, 2005 at Macomb Community College. There was a great amount of positive feedback. The interactive CD was very well received and is simple and understandable. MIOSHA hopes to begin mass distribution of the CD in the beginning of 2006.

Mr. Jim Fisk commented that he received a copy of the tool box and took it to the union and they were very impressed with it and he would like to receive two more copies. Mr. Kalinowski advised staff would have the copies for him before the meeting concluded.

Agenda Item #3--Standards Section Update—Marsha Parrott-Boyle (conclusion)

Ms. Parrott-Boyle advised that CS Part 32 & GI Part 58, Aerial Lifts Advisory Committee is now holding meeting and that Dena Hendon is facilitating this group. The Committee is working to make the two standards more consistent with each other (with regard to similar fall protection). It could be another six to eight meeting before the Committee has proposed amendments for the Commissioners.

Ms. Parrott-Boyle also advised that the next two advisory committees the Standards Section is anticipating to begin this fiscal year are tower erection and latex.

Agenda Item #4--General Industry Safety and Health Division Update--John Brennan, Director

Mr. Brennan informed the Commission that GISHD has recently hired four new industrial hygienists and two new safety officers and currently has 27 safety officers, 23 industrial hygienists. The division also has two field investigators in the Employee Discrimination Section and one compliance officer has been detailed to assist the Employee Discrimination Section with their backlog. Last October 34% of the discrimination cases were handled within 90 days, as of September that has improved to 69%, very close to the strategic plan goal to resolve 75% of all MIOSHA discrimination cases within 90 days of receipt of the complaint.

Mr. Brennan reviewed for the commissioners recent significant cases. These include Eagle Pitcher which received citations with penalties totaling \$108,000. This included an investigation into a lockout fatality. Bring Metal Stamping received citations totaling \$113,900, this was a routine inspection and included 18 serious violations, 13 repeat serious violations and 19 other than serious violations. The last significant case reviewed was Michigan Sugar who received citations with penalties totaling \$277,650, this was also a routine inspection and included 24 serious violations, 7 willful violations and 15 other than serious violations and included a general duty violation for ergonomics.

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Mr. Brennan advised that after a citation is issued to an employer, the employer must send in details of how the violation has been corrected for abatement of the issue. The division is working on a system where if the item is 'other than serious' the employer can sign certification that the items were corrected and mail into the division. If this is not done a citation for failure to certify abatement with a \$1000 penalty can be issued.

Mr. Brennan informed the commission that all power press injuries are required to be reported within thirty days. However upon review of the 2004 data, only 8 incidents were reported all year, so it appears these injuries are underreported. The division is working on a pilot program where is a safety officers notices an amputation on the logs they will check to see if an injury and illness report was filed. If this was recent they will be cited for non-reporting and not being in compliance with this requirement.

Mr. Brennan advised the commissioners that the two enforcement divisions along with the Consultation, Education and Training Division will be conducting division trainings on December 7 and 8, 2005.

Last year at this time the division had received just over 1,000 complaints, already this year the number of complaints received is over 1,300. This is a 31% increase in complaints received.

Mr. Brennan reviewed the latest fatality report with the commissioners and provided more detailed information in materials distributed. Twenty-two fatalities have occurred this year--nine construction related and thirteen general industry. The general industry fatalities were reviewed in detail.

Mr. Brennan informed the commissioners that MIOSHA was working with federal OSHA on provided assistance in the Louisiana gulf area. Employees are working in shifts for twelve hour days for fourteen days straight. Federal OSHA is picking up all travel expenses.

The General Industry Division was able to establish a new position which is a metals and ergonomics specialist, this position was filled by Bart Pickelman from the Saginaw District office. At least 40% of this positions time will be spent on ergonomics. Mr. Pickelman is now serving on the Ergonomics Advisory Committee.

Agenda Item #6--OSHA Update--Cynthia Hutchens-Smith, Lansing Area Director

Ms. Hutchens-Smith was unable to attend the meeting.

Agenda Item #7--Old Business

None.

Agenda Item #8--New Business

a. Advisory Committee Applications

ii.-- Deb Doherty, Ergonomic Advisory Committee.

Ms. Marsha Parrott-Boyle reviewed with the commissioners the application received from Ms. Deb Doherty for the Ergonomic Advisory Committee. The current roster for the Ergonomic Advisory Committee was also reviewed. A motion was made by Commissioner Koury and was seconded by Commissioner Pettinga to table the application of Deb Doherty for the Ergonomic Advisory Committee until the committee has a vacancy or a need for additional members.

MOTION CARRIED UNANIMOUSLY.

i. Michael L. Hanks, Parts 1, 33, 42, 62 and 75

Ms. Parrott-Boyle advised that the Standards sections anticipates opening Part 62 in the near future, it is on the backlog under the medium priority section. The commissioners reviewed the current roster of appointees and tabled applications for Part 62 Plastic Molding. A motion was made by Commissioner Reamer and was seconded by Commissioner Koury to table the application of Michael L. Hanks for the GI Part 62 Plastic Molding Advisory Committee until the committee has a vacancy or a need for additional members.

MOTION CARRIED UNANIMOUSLY.

Commissioner Koury requested staff and the commission to keep in mind that we want to make sure those employers that we have partnerships feel that they are involved with MIOSHA issues. Mr. Koury further felt that we should keep aware of standards that we have pending that are of interest to those employers that we have partnerships with. As an example he indicated that he was concerned that GI Part 62, Plastic Molding. Ms. Parrott-Boyle indicated that Part 62 is currently 3rd on the list for Advisory Committees to start meeting and that there is reasonable anticipation this committee could start meeting later this fiscal year or early next fiscal year. She also indicated that there has been no request by any party for Part 62 to be moved higher on the priority list since the last priority survey was done.

Agenda Item #9—Proposed Meeting Schedule for 2006

The next General Industry Safety Standards Commission meeting will be held in on Wednesday, February 8 at 9:30 a.m. The meeting will take place at the General Office Building in Lansing.

Agenda Item #11--Public Comment

Jim Fisk requested to see the framework that was given to the Ergonomics Advisory Committee to work from. Ms. Parrott-Boyle indicated staff would get him a copy. Mr. Fisk indicated he feels a lot of employers think that an ergonomic standard would cost them money and he would like to show that in many ways an ergonomic standard would save employers money.

Mr. Fisk thanked John Brennan for the more detailed fatality information.

Commission Baker asked if any of the commissioners or staff would be interested in attending a tour of the GM plant. He indicated by February the plant should have robots in place and the plant could be in full production within nine months. Both the commissioners and staff expressed an interest in going on a tour if one could be arranged.

Agenda Item #12--Adjournment

A motion was made by Commissioner Eckert and was seconded by Commissioner Fredericks that with no further business before the Commission, the meeting be adjourned.

MOTION CARRIED UNANIMOUSLY

Mr. Thomas Pytlik, Chairperson

Date